
CHAPTER 1

PERSONNEL MANAGEMENT RESPONSIBILITIES

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Introduction

Kansas conservation districts are governmental subdivisions of the state. Each district is governed by a five-member board of supervisors who are public officials responsible for administering district programs in the most effective way. District supervisors bear responsibility and accountability for the personnel management policies and decisions needed to make that staff effective and productive. The board of supervisors is responsible for hiring, supervising and terminating district employees. District employees are not state or county employees, but are employees of the individual conservation districts. It is, therefore, vital district supervisors take an active role in formulating and administering personnel policies.

Principle Responsibilities

The principle responsibilities of personnel management lie with the district supervisors. These responsibilities should not be delegated to others, though seeking the advice of other districts and affiliated organizations is encouraged. District supervisors should:

1. Develop written personnel policies.
2. Ensure that personnel policies and decisions are based on merit principles, (see pg. 1:3).
3. Ensure that personnel management is conducted according to written policy.
4. Be certain personnel policies are adequate and current.
5. Conduct or review annual performance appraisals for all district employees.
6. See that their employees are well trained.

State Conservation Commission

By law, the State Conservation Commission (SCC) is responsible for providing administrative assistance to conservation districts. This includes personnel management advice and counsel. A conservation district should look to the SCC as the primary source of assistance in personnel matters, and should coordinate its personnel management activities through the state agency to ensure compliance with applicable state laws and regulations.

Administrative Supervision and Technical Oversight

Conservation district board members should be responsible for the administrative supervision of their personnel. Where districts have employed district managers, district boards may choose to have them be responsible for much of the administrative supervision, and in some cases the technical oversight of other district employees. **The district manager should be directly responsible to the district board, not to any federal or state employee.** Day-to-day supervision is normally not practical or necessary. The district board chair

or the board's designee should, however, periodically review the performance of the district manager. This will give the district manager insight regarding the direction the board desires to take in managing district programs.

Technical oversight of district employees varies according to the technical skills of the employee. In some instances, district employees, such as technicians, work directly with Natural Resources Conservation Service (NRCS) employees. Conservation district boards should consult SCC and NRCS to determine their best method of providing technical oversight. Once decided, the policy on technical oversight must be clearly understood by all employees and agency personnel who will be working together.

While NRCS should provide technical oversight to ensure quality control of the assistance rendered to landusers, the district should maintain administrative control over the district employee. This will ensure district priorities are given proper consideration. **Complete supervisory responsibility for a district employee by NRCS or any other agency representative is not desirable.**

Example sets of duties are outlined below for both administrative supervision and technical oversight.

1. Administrative Supervision

- a. Ensure district employees and those providing guidance or direction to them understand district personnel policies.
- b. Develop position descriptions and ensure current duty requirements are the same.
- c. Establish a work schedule.
- d. Set priority of work.
- e. Determine training needs, see that training is provided and follow up to ensure performance is satisfactory.
- f. Review and evaluate performance.
- g. Consider and approve pay increases so as to maintain pay that is commensurate with duties performed.
- h. Authorize employees to attend meetings.
- i. Approve leave, vacation time, holidays and other fringe benefits.
- j. Commend exceptional work.
- k. Respond to employee grievances.
- l. Establish and maintain satisfactory working arrangements and conditions.
- m. Decide disciplinary actions if necessary.

2. Technical Oversight

- a. Review work to ensure it meets technical standards and specifications.
- b. Ensure employees are provided quality technical training according to their training plan.
- c. Resolve questions on standards and specifications.
- d. Provide input to the district board on technical competence of employees.
- e. Coordinate scheduling of day-to-day technical assistance.
- f. Recommend engineering approval authority.

Maintaining Working Relationships

The memorandums of understanding (MOU) and the gratuitous use agreements with other agencies provide the basic framework for cooperative working arrangements. Subjects commonly covered by MOU's may include, but are not limited to office space, equipment, personnel and programs. These documents should be reviewed annually to minimize conflicting work assignments and supervisory confusion.

Written Personnel Policy

Numerous personnel management problems can be avoided if each district establishes written personnel policies. Once a district board has written personnel rules and procedures, these policies should be provided to all employees. Where district employees are governed by the rules and regulations of other jurisdictions, copies of those regulations should be secured for the employees and become addendums to the policy manual. Having written policies will simplify the delegation of responsibility for the day-to-day operation of a personnel system.

The following items are basic to any policy statement. Additional information on each of these items is contained in subsequent chapters. Other items can be added as necessary.

1. Employment

- a. Definition of employment classes (permanent full-time, permanent part-time, temporary)
- b. Length and conditions of any probationary period of employment
- c. Statement of nondiscrimination (see item 5 under Merit Principles of this chapter)
- d. Qualification requirements for employees
- e. Who has authority to hire, set salaries and conduct reviews
- f. Position descriptions
- g. Terminations and their effect on benefits
- h. Statement on employment of relatives and conflict of interests

2. Compensation

- a. Working hours, overtime, paydays
- b. Methods of salary progression
- c. Listing and general explanation of benefits, including who is eligible

3. Employee Relations

- a. Grievance procedure
- b. Administration of discipline
- c. Code of conduct

4. Performance Appraisals

- a. How evaluated and by whom
- b. Effect on salary

5. Employee Training

- a. Orientation of new employees
- b. How training needs are determined
- c. Training plans
- d. Policy training

6. Employee Services

- a. Safety on the job
- b. Awards/Recognition program

When developing a written personnel policy, study other existing policies, e.g., county, city and private industry. If possible, secure the services of a personnel specialist in developing the policy statement. (See Exhibit 1.2 for an example of a personnel policy.)

Merit Principles

The Office of Personnel Management, which oversees the federal work force, has established a series of merit principles that can be used in district personnel management policies. These principles are:

1. Recruitment, selection and advancement of employees will be based on ability, knowledge and skills, including consideration of qualified applicants for initial employment.
2. Compensation for initial employment will be equitable and adequate.
3. Employees will be trained as needed to ensure high quality performance.
4. Employees will be retained based on the adequacy of their performance; provision will be made for correcting inadequate performance, and removing when adequate performance is not maintained.
5. Applicants and employees will be treated fairly in all aspects of personnel administration, without regard to race, color, religion, sex, national origin, political affiliation, age, or other non-merit factors and with proper regard for their privacy and constitutional rights.
6. Employees will be protected against coercion for partisan political purposes and will be prohibited from using their official authority for the purpose of interfering with or affecting the end result of an election or a nomination for office.

Operation of the Program

Personnel administration should be the expressed responsibility of an individual district supervisor or a personnel management committee appointed by the board's chairperson. This individual or committee should:

1. Ensure the adequacy of personnel policy statements.
2. Review policy statements annually.
3. Ensure adherence to policy statements.
4. Conduct annual appraisals and compensation reviews.
5. Provide administrative supervision of district employees.

Where to Go for Help

District supervisors will face a variety of questions, problems and situations in personnel management for which there are no simple answers. Sources of assistance are available to

districts. The most likely sources are:

1. State Conservation Commission
2. County Human Resources Department
3. State Human Resources Department
4. Local colleges and universities
5. NRCS area offices
6. County attorney

Some of these sources have professional personnel management specialists who can provide advice or counsel.

EXHIBIT 1.1 CHECKLIST FOR DEVELOPING A PERSONNEL POLICY

ITEM	COMPLETED
1. Assign responsibility for development of a draft personnel policy to personnel committee, or to a special committee if no personnel committee exists.	_____
2. Contact or have meeting with NRCS representative, SCC representative, and others who are affected, or who can provide input to discuss general content of policy.	_____
3. Secure copies of policy statements from other districts, private industry, county government, etc., to use as examples. (Verify that examples meet local, state and federal personnel laws.)	_____
4. Determine major headings to go into policy. (See "Written Personnel Policy" on page 1:3.)	_____ _____
5. Develop draft policy and review by district board	_____
6. Provide opportunity for draft review by employees, NRCS, SCC and others.	_____
7. Bring before full board for adoption.	_____
8. Meet with affected agencies to review policy.	_____
9. Meet with employees to fully discuss the adopted policy.	_____

**HAPPY COUNTY CONSERVATION DISTRICT
PERSONNEL POLICY HANDBOOK**

I. INTRODUCTION

The Happy County Conservation District is a governmental subdivision of Kansas, a public body corporate and politic, organized in April 15, 1945 encompassing all of Happy County, Kansas. Happy County Conservation District is responsible for administering local natural resource conservation programs. Under provisions set forth in the Kansas Conservation District Law, conservation districts have the authority to hire employees to assist with carrying out district programs and in accordance with Memorandums of Understanding and Agreements with various agencies. Such employment is subject to, and dependent upon, availability of public funds.

The board of supervisors is responsible for the personnel management policies and decisions necessary to have an effective and productive staff. The following personnel policies have been prepared and established for the guidance of district employees and other interested persons. These personnel rules and procedures have been adopted by the Happy County Conservation District Board of Supervisors to provide an orderly system of personnel administration policies and to promote harmonious working conditions to effectively achieve Happy County Conservation District's goals and objectives.

The board of supervisors is authorized to make any necessary interpretations and clarifications of these policies. The contents of these policies are presented as guidelines and do not constitute conditions of employment. **For the purpose of this policy, immediate family member is defined as spouse and the children, grandchildren, parents, siblings and grandparents of the employee and/or the spouse.**

II. EMPLOYMENT

- A. Employment Authority:** The board determines employee qualifications, duties and compensation. They are responsible for hiring, supervising (unless assigned to district manager) and terminating district employees.
- B. Equal Opportunity:** The Happy County Conservation District is an Equal Opportunity Employer. Job applicants and employees will be treated fairly in all aspects of personnel administration, without regard to race, religion, color, gender, sexual orientation, national origin, ancestry, age, marital status, veteran status, political affiliation, disability or other non-merit factors and with proper regard for their privacy and constitutional rights.
- C. Employee Classification:** Employees may be employed in one of the following classifications.
 - 1. Permanent Full-Time:** Employment in a continuing position requiring a minimum of 40 hours of work per normal workweek. The employee is entitled to all fringe benefits.
 - 2. Permanent Part-Time:** Employment in a continuing position requiring less than 40 hours of work per normal workweek on a regular and recurring schedule. The employee is entitled to all fringe benefits on a pro-rated basis.
 - 3. Temporary Full-Time:** Employment in a position of limited duration requiring a minimum of 40 hours of work per normal workweek. The employee is not entitled to receive any fringe benefits.
 - 4. Temporary Part-Time:** Employment in a position of limited duration requiring less than 40 hours of work per normal workweek. The employee is not entitled to receive any fringe benefits, except in accordance to KPERS provisions.
- D. Position Descriptions:** Position descriptions are developed to assist in employee recruitment and to increase communication between supervisors and employees. Position descriptions shall be reviewed and updated annually or as the need arises. Current position descriptions are attached and are an official part of this policy.
- E. Performance Appraisals:** An effective system to measure an employee's productivity is helpful and necessary from the standpoint of both the employee and the employer. A formal performance appraisal will be completed by the immediate supervisor in consultation with the Natural Resources Conservation Service District Conservationist (DC), if applicable, and will be discussed with the employee. The evaluation will be an accumulation of numerous informal observations, checks and discussions made throughout the period covered. This formal evaluation will be completed at the end of the probationary period and there after, on an annual basis. Performance of each assigned duty will be evaluated against the developed performance standards. It will be the basis for any merit pay increase granted by the district board.

EXHIBIT 1.2 EXAMPLE DISTRICT PERSONNEL POLICY HANDBOOK (continued)

- F. Recruitment of District Employees:** Position openings will be advertised as a minimum, in the official county newspaper for a two-week period. The position announcement will list the title of the position, pay range, principal duties, and the knowledge, skills and abilities required. The advertisement will also include the district's name, address and telephone number; application and position description availability; and the closing deadline. Applications and position descriptions will be available at the district office. Applications and resumes must be submitted to the district office by deadline date to be considered. All applications will be reviewed by the district board and the most qualified candidates will be scheduled for interviews. References listed on the Employment Application will be contacted. Board members will conduct the interviews. The district manager and/or the district conservationist may assist with the interviews.
- G. Position Selection:**
1. The district will offer the position to the most qualified candidate. If for some reason the most qualified candidate is unable to accept the position, it will be offered to the next most qualified person. The district has the right to terminate the selection process or issue a new announcement at any time.
 2. After selected candidate verifies acceptance of position, a confirmation of acceptance letter will be sent. A rejection letter will be sent to the other candidates who are interviewed, but not selected for the position.
- H. Medical Examinations:** Applicants who have been conditionally offered employment and existing employees may be required to have a medical examination to determine whether the employee's physical condition or limitations prevent the employee from performing the major functions necessary to the employee's job, or jeopardizes the safety of others. Employees may be required to take a physical examination every three years or upon board's request.
- I. Probationary Period:**
1. All new permanent employees will serve a six-month probationary period. This trial period provides the opportunity to determine job suitability in actual work situations. At intervals throughout the probationary period, the immediate supervisor will discuss job performance with the employee.
 2. The employee may be dismissed during the probationary period if the district determines the service of an employee has been unsatisfactory. This dismissal will be considered as a termination for cause.
 3. At the end of the probationary period a formal performance appraisal will be conducted to determine whether the new employee's performance is adequate. At this point the board of supervisors will decide if the employee will be retained as a permanent employee.
- J. Employment of Relatives:**
1. A district supervisor or employee will not have the authority to hire, supervise or set compensation for an immediate family member.
 2. A board member will abstain from voting on specific personnel matters concerning an immediate family member.

III. GENERAL OFFICE POLICY

- A. Tour Of Duty:**
1. The normal workweek for full-time employees shall be 40 hours, consisting of five 8-hour workdays, Monday through Friday. Generally regular work hours are 8 a.m. to 5 p.m., with an hour lunch break. Hours may be changed with mutual consent between the board and employee.
 2. Each employee is allowed a 15-minute break at mid-morning and mid-afternoon. Breaks are a privilege and may not be combined, added to meal periods or taken at the end of the workday. Breaks should be scheduled so that adequate office coverage is always maintained.
 3. All employees are expected to arrive at work as scheduled. If for any reason you are unable to report for work as scheduled, promptly notify the office of the reason no later than one-half hour after the scheduled starting time. Unauthorized absence or tardiness may result in a reprimand and/or termination.
- B. Dress Code:** Employees should dress appropriately for the day's work and with respect to the position held. Employees who work inside the office should make a special effort to appear neat and professional at all times. District employees should always strive to project a favorable image for the district.
- C. Personal Telephone Use:** Personal telephone calls using the business telephone should be limited to brief, essential calls and if possible made during breaks or lunch periods.

EXHIBIT 1.2 EXAMPLE DISTRICT PERSONNEL POLICY HANDBOOK (continued)

D. Team Work:

1. The district works closely with the NRCS to implement conservation programs. Cooperation and teamwork of the district and the NRCS is essential to effectively and efficiently address natural resource problems and needs of the county.
2. District employees will carry out policies and operate within the guidelines set forth by the board of supervisors. The district manager will be in charge of the day-to-day operations of the district.
3. The DC will provide technical supervision and direction where NRCS has overall program responsibilities, in the management of NRCS office space and in NRCS-owned equipment. The NRCS will also provide supervisory technical support to the district.
4. For more information on the cooperative working arrangements refer to the Memorandum of Understanding and the Gratuitous Use Agreement between the district and the NRCS located in the district files.

IV. COMPENSATION

A. Pay:

1. Rate of pay will be determined by the Happy County Conservation District Board. Cost of living increase and merit raises will be considered following formal Performance Appraisals.
2. A pay period encompasses a month and pay checks will be issued at the next regular monthly board meeting. Employees shall submit their time sheets for the previous month to the district manager the first working day of every month. The district manager will present employee time sheets at the next board meeting.

B. Overtime Compensation:

1. In accordance with provisions of the Fair Labor Standards Act (FLSA), Happy County Conservation District will give employees compensatory time off in lieu of overtime pay, pending employee's consent verified by signing the Compensatory Time Off Agreement before performance of the work.
2. Overtime must be authorized in advance by the employee's supervisor.
3. Employees working in excess of 40 hours in a given workweek will be compensated at the rate of one and one-half hours for each hour of overtime worked.
4. The FLSA considers a workweek as a period of 168 hours during seven consecutive 24-hour periods. The district's workweek begins 12:01 a.m., Sunday and ends 12 midnight, Saturday.
5. Hours worked includes all time during which the employee is required or permitted to work.
6. Time spent in business-related travel and business-related workshops and meetings will be considered compensable. Time spent in normal home to work travel (and vice versa) is not considered compensable.
7. The district reserves the right to offset hours prior to the accrual of overtime hours. The employee may be permitted equivalent time off, on an hour for hour basis, within the same workweek, in order to limit overtime.
8. The use of compensatory time shall be approved by the employee's immediate supervisor on the Leave Request form. An employee shall be permitted to use accrued compensatory time as requested if time off would not unduly disrupt the operations of the office.
9. Accrued compensatory time must be exhausted prior to annual leave.
10. The maximum for accrual of compensatory time is 120 hours.

EXHIBIT 1.2 EXAMPLE DISTRICT PERSONNEL POLICY HANDBOOK (continued)

C. **Employee Benefits:** Unemployment compensation insurance, worker's compensation, Medicare and a qualified retirement plan (social security) are legally required benefits.

1. **Retirement Plan:** All eligible employees of the conservation district shall be members of the Kansas Public Employees Retirement System (KPERS) and shall be subject to all laws and supplemental regulations governing such membership.
2. **Leave:** Eligibility and rates of leave will be stipulated by the board at the time of hire and included in the Employment Contract. A leave record will be maintained on the Time and Payroll Record form. A Leave Request form must be submitted prior to taking leave if possible. Employees, except district manager, must submit a Leave Request form prior to taking leave, if possible to immediate supervisor. The district manager planning leave less than three days should coordinate it with the DC. The district manager must submit a Leave Request form prior to taking leave in excess of three days, if possible to immediate supervisor.

Annual and sick leave accrual rates and accumulation limits are based on continuous service with the district. For purposes of leave rules, continuous service means total service as a probationary and subsequently permanent employee. Continuous service does not include periods of employment as a temporary or seasonal employee.

Temporary employees are not eligible to accrue, use or receive pay for sick, annual, or holiday leave. Permanent part-time employees will receive annual and sick leave on a pro-rated basis. Permanent employees are credited with leave at the beginning of each pay period. Employees are entitled to use their leave as they earn it. Leave accrues only when an employee is in pay status and cannot be taken in advance. Leave can be used in increments of less than one day.

- a. **Annual Leave:** Annual leave is to be used for vacations, personal business and other time taken off not covered by sick leave or holiday provisions. Annual leave cannot be taken prior to its accrual. Accrued annual leave may be used for sick leave if an employee has exhausted all available sick leave.

No more than two weeks annual leave shall be taken at any one time unless approved by the district board.

The maximum annual leave that can be carried forward into a new calendar year is 168 hours.

- b. **Sick Leave:** Sick leave can be used only for the following reasons: (1) illness or disability of the employee; (2) pregnancy, childbirth, miscarriage, and recovery thereof; (3) the employee's personal appointments with a physician, dentist, or other health practitioner; or (4) legal quarantine of the employee. You may also use accumulated sick when an immediate family or household member requires your care and attendance because of illness, disability, or health practitioner appointments.

Sick leave cannot be used for annual leave.

The board may require the employee to furnish medical statements of illness and/or treatment from the attending physician in order to qualify for sick leave.

If an employee, employee's family or household member becomes ill while the employee is taking annual leave, and the employee is deprived of all or a significant portion of the leave due to the illness, upon employee's request, the district board may grant sick leave for some or all of the illness duration.

If an absence because of illness or injury extends beyond the sick leave accrued, such additional time may be charged to accrued annual leave.

Sick leave has no maximum accumulation and when employee leaves district employment, the employee will not be paid for any unused sick leave.

ANNUAL AND SICK LEAVE ACCRUAL AND ACCUMULATION SCHEDULE

Years of Continuous Service	Annual Leave Accumulation	Sick Leave Accumulation
less than 3 years	8 hours/month	8 hours/month
more than 3 but less than 5 years	10 hours/month	8 hours/month
more than 5 but less than 15 years	12 hours/month	10 hours/month
more than 15 years	16 hours/month	10 hours/month

- c. **Bereavement Leave:** In case of death in the immediate family or household, employee leave will be granted and charged against the employee's sick leave. The number of days granted will be governed by the circumstances of the case, but shall not exceed 10 days (80 hours) per calendar year.

EXHIBIT 1.2 EXAMPLE DISTRICT PERSONNEL POLICY HANDBOOK (continued)

- d. **Maternity/Paternity Leave:** An eligible employee may be granted maternity/paternity leave on the same basis as sick leave, as a result of the birth of a child or custody of a child through adoption. Leave can be charged against annual or sick leave accumulated or may be charged against leave without pay in accordance with the Family and Medical Leave Act provisions. The number of days granted using accrued annual or sick leave will be governed by the circumstance of the case. Normally, a mother recuperating from childbirth will be expected to return to work within six weeks following the birth of a child.
- e. **Holiday Leave:** Conservation district employees will be granted leave for the holidays authorized for Natural Resources Conservation Service employees to include, but not be limited to, New Year's Day, Martin Luther King, Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Columbus Day, Thanksgiving Day, and Christmas Day. Holidays falling on Sunday will be observed on Monday while those falling on Saturday will be observed on Friday. Permanent full-time employees will be granted holiday leave with pay and permanent part-time employees will be granted holiday leave with pay only if the holiday falls on a normally worked day.
- f. **Leave Without Pay:** The district board of supervisors may approve a request from a permanent or probationary employee for leave without pay. The request must be in writing and must include the reasons for the leave. Leave without pay cannot be approved for more than 12 months. However, an employee may request an extension before the end of the approved leave period. This request must also be in writing to the board. An employee may return to work before the specified date of return if the board approves a written request from the employee to return earlier. If the employee fails to report for work on the specified date of return, the board may terminate the employee. The board may cancel leave without pay at any time and require the employee to return to work before the specified date of return.
- g. **Inclement Weather:** If the office is declared closed due to hazardous weather, or authorities publicly declare driving limited and employees are unable to report for duty, district employees are excused without charge to annual leave.
- h. **Court and Jury Services:** A permanent or probationary employee, excluding temporary employees shall be granted leave of absence with pay on a regular work day for required jury duty; in order to comply with a subpoena as a witness before the civil service board, the Kansas Commission on Civil Rights, the United States Equal Employment Opportunity Commission, or a court.

An employee is not entitled to leave of absence with pay in circumstances where the employee is called as a witness on the employee's own behalf in an action in which the employee is a party; or voluntarily seeks to testify as a witness. The time absent must be taken as annual leave or leave without pay at the employee's discretion.
- i. **Military Leave:** Employees who are members of the National Guard or Reserves for training purposes shall be granted military leave without pay or, at the employee's request, use accrued annual leave.

Employees who enlist or are drafted into the U.S. armed forces, including reservists and National Guardsmen who are activated to military duty, shall be granted military leave without pay or at the employee's request, use accrued annual leave.

Employees requesting military leave shall present their immediate supervisor with official military orders.

Employees entering the military services of the United States shall be entitled to reinstatement within 90 days following conclusion of their service as prescribed by Title 38, U.S. Code, Chapter 43.
- j. **Other Leave:** The employee will be given sufficient time off with pay to donate blood, if not compensated for donation; register to vote and to vote in any city, county, state or federal election.

EXHIBIT 1.2 EXAMPLE DISTRICT PERSONNEL POLICY HANDBOOK (continued)

D. TRAVEL AND RELATED EXPENSES

1. Requests for attending and travel reimbursement of work-related meetings, seminars, workshops, etc., requires formal board approval.
2. Conservation district employees who use their personal vehicle for official business will be reimbursed at the approved IRS allowable rate. The employee assumes liability for his/her personal vehicle in work-related travel. Most work-related travel will originate from the conservation district office, but when it is advantageous (time and distance) for the district employee to leave directly from his/her residence, use either the distance between the office and the destination point or the distance between the residence and the destination point, whichever is less, for computing the mileage reimbursement. Also, when employees depart from their residence and the travel time is more than if departing from the district office, the time that work day begins will be the approximate time the employee would have left the office if departure would have been from there. Normal travel from home to district office is not considered work time and, therefore, is not reimbursable.
3. During work-related travel, employees will be reimbursed for meals, lodging and registration fees when not directly paid by the district.
4. Employees requesting reimbursement will complete the Travel Claim form and attach meal, lodging and registration receipts, and submit to board for payment.

V. TRAINING

A training plan shall be developed for each employee. The plan will be an effort between the employee and immediate supervisor. Training shall be provided by other district employees, NRCS and the State Conservation Commission. Outside training shall be left to the discretion of the employee's immediate supervisor and the district board.

VI. GENERAL WORK ETHICS

- A. Conduct and Ethics:** All district employees are expected to maintain high standards of ethics and personal conduct. They have a responsibility to perform their assigned duties, to support the Happy County Conservation District, demonstrate professional integrity and to uphold the public trust. In performing official activities, employees must pursue the common good, and not only be impartial, but act so that there can be no question of impartiality. All duties performed and actions taken by district employees while on official duty will be performed in a safe and healthful manner and will be of a nature to reflect favorably on the Happy County Conservation District.
- B. District Employees Restrictions:** Employees should not directly or indirectly solicit or accept any compensation, gift, loan, entertainment, favor or service given for the purpose of influencing employees in the discharge of their duties. Employees should not use or allow the use of information gained through employment, which is not public information, for their personal gain or benefit. Employees should not engage in any outside employment or other activity that interferes in any way with the full performance of duties and responsibilities of their position. Employees should not have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with the duties and responsibilities of a district employee. Employees should not use or allow the use of district, state or federal property of any kind for other than officially approved activities.

VII. DRUG-FREE WORKPLACE

Use of alcohol or illegal drugs are prohibited on work premises or in connection with the performance of any employee's duties. Any employee who violates this policy will be required to seek professional alcohol/drug abuse counseling from an approved rehabilitation program, in addition to any legal action that may be forthcoming. Employees who refuse such counseling, or are convicted of a second offense, will be subject to immediate dismissal.

EXHIBIT 1.2 EXAMPLE DISTRICT PERSONNEL POLICY HANDBOOK (continued)

VIII. HARASSMENT

Harassment, in any form, is an unacceptable behavior and will not be tolerated by the Happy County Conservation District. In general, harassment is any conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Harassment is defined to include participating in coercive or repeated, unsolicited and unwelcomed verbal comments or gestures; or using implicit or explicit coercive behavior in the process of conducting business, or controlling, influencing or affecting the career, salary or job of an employee. Harassment may also take the form of physical aggressiveness, threats or other intimidating behaviors.

Sexual harassment is a specific type of discrimination based on sex. The conservation district will not tolerate sexual harassment. All employees are responsible for assuring the workplace is free from sexual harassment. All employees must avoid any action or conduct that could be viewed as sexual harassment including, but not limited to, unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Any employee who believes they are being harassed should notify their immediate supervisor or a district supervisor promptly. The matter will be thoroughly investigated and appropriate action taken. The district will retain confidential documentation of all allegations and investigations.

Any employee engaging in harassing behavior or activities is subject to disciplinary action, including immediate discharge.

IX. GRIEVANCE PROCEDURE

Grievances are complaints from employees charging their employment has been directly and adversely affected by unfair treatment, unsafe working conditions, or unjust application of policies, procedures, or the law. District employees who pursue a grievance are to be free from restraint, coercion, discrimination or reprisal. The filing of a grievance shall in no way reflect on an employee's good standing with the district.

The following is the procedure to be followed for processing conservation district informal and formal grievances. **(If the grievance involves NRCS personnel, the NRCS grievance procedure will be followed.)** In the following paragraphs, "days" refer to working days and are maximum time limits.

Whenever possible, grievances should be resolved informally. Every effort should be made by the employee and immediate supervisor to come to an agreeable resolution of the grievances within a reasonable period of time (10 days). Complaints that the immediate supervisor does not have the authority to resolve should be referred to the district board promptly.

Unsuccessful attempts at an informal resolution of a complaint may be followed at the employee's discretion by a formal grievance. The employee should prepare a written statement that describes the grievance and the remedial action being sought, and provides all information available in support of the complaint.

Upon receipt of a written grievance, the immediate supervisor should make all reasonable efforts to resolve the complaint.

If the grievance is not resolved, it should be forwarded to the chairperson of the district board or designee, within seven days of receipt, with a statement of efforts made to resolve the problem. The board will make its decision on the grievance within 15 days of receipt or, if not possible, at the next scheduled board meeting.

Grievances that still remain unresolved may be submitted for advisory arbitration by written request from the aggrieved employee within 10 days after the response of the district board. The employee or employee's representative and the board's chairperson or designee shall meet within 10 days after receiving the written request to select an impartial arbitrator. Both parties must agree, and the arbitrator selected may be either an employee or non-employee. If an arbitrator is not agreed upon, the board will render their final decision on the matter within 10 days.

The selected arbitrator will hold a hearing with the parties within 15 days of selection. The arbitrator will present verbally or in writing the recommendation within 10 days to the board and the aggrieved employee. The district board will review the recommendation and make the final determination. This decision will be transmitted verbally and in writing to the aggrieved employee and immediate supervisor within 10 days of the date the arbitrator's recommendation was received.

This decision will be final unless court warranted otherwise.

X. ADMINISTRATION OF DISCIPLINE

The district board has the authority to discipline employees for willful and repeated violations of personnel regulations. Discipline may consist of an oral or written reprimand, suspension without pay or dismissal. To ensure a disciplinary action notice is received by the employee, it should be hand delivered or mailed "Certified Mail - Return Receipt Requested." The Happy County Conservation District will administer discipline in a just, prompt and consistent manner.

XI. EMPLOYEE SAFETY

It is the policy of the Happy County Conservation District that every employee is entitled to a safe and healthful place to work. It is our desire and intention to provide a safe work place, safe equipment, and proper materials, and to establish and insist upon safe methods and practices at all times. District employees are expected to follow any safety-related policies established for the NRCS field office including the Protection/ Contingency Plan.

XII. AWARDS/RECOGNITIONS

The Happy County Conservation District will recognize and award team and individual efforts for those district employees and non-district employees who make outstanding contributions to the conservation district or to natural resource conservation. The type and extent of awards will be dependent on the magnitude of the effort and the extent of the impact of the project or accomplishment. Recognition may be in the form of certificates, plaques, news articles or ceremonies.

XIII. SEPARATIONS

- A. General Provisions:** Employees will be mailed their final check, including payment of any eligible accrued credits, on the regular payday following job separation. Upon separation for any reason, employees, or in case of death, the surviving spouse or the employee's estate or as otherwise directed, will receive payment for accrued:
 - 1. Annual leave** not to exceed 168 hours and will be compensated at the current rate of pay.
 - 2. Compensatory time** calculated by using the average regular rate of pay for the final three years of employment, or the final regular rate received by the employee, whichever is higher.
- B. Resignation/Retirement:** It is suggested an employee who desires to terminate service with the district submit a written resignation to his/her immediate supervisor a minimum of two workweeks prior to the effective date of resignation or retirement. Employees enrolled in KPERS will receive benefits according to provisions set forth by KPERS.
- C. Removal For Cause:** An employee may be removed for cause. Removal for cause is justified for, but not limited to, the following reasons: incompetence or gross neglect of duty; absent without approved leave; insubordination or serious breach of discipline; habitual use of intoxicating liquor, narcotics, hypnotic or stimulating drugs; conviction of a felony or crime involving moral turpitude; negligent or willful damage to or misuse of public property; falsification of employment applicant form; and giving or accepting bribes. An employee removed for cause shall be entitled to a reason for termination and the opportunity for a hearing. The employee may voluntarily waive such a hearing.
- D. Absent Without Leave:** Any employee who is absent without leave and who fails to return to duty within 24 hours after having received notice to do so shall be deemed to have resigned position voluntarily. Absence without approved leave shall be construed to be any absence in which the employee has failed to secure prior approval or, in the case of illness or emergency, has failed to notify immediate supervisor of such absence no later than the day such absence begins.